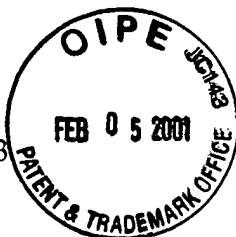


Attorney Docket No. 32892-00023



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 180023000

FEB 08 2001

RECEIVED

In re Application of: Eugenio A. Cefali  
Serial No.: 08/960,557  
Filing Date: October 31, 1997  
Group Art Unit: 1615  
Examiners: J. Spear  
Title: **METHODS OF TREATING HYPERLIPIDEMIA WITH  
INTERMEDIATE RELEASE NICOTINIC ACID  
COMPOSITIONS HAVING UNIQUE  
BIOPHARMACEUTICAL CHARACTERISTICS**

Box Amendment  
Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

02/20/2001 6TRANMEL 00000003 500951 08960557

TRANSMITTAL

01 FC:218 695.00 CH

Transmitted herewith are the following documents and fee:

1. Amendment (3 pages); and
2. Return Postcard.

\_\_\_\_ Please charge my Deposit Account No. with the filing fee in the amount of \_\_\_\_\_.  
Please change any deficiency or credit of overpayment to Deposit Account No. \_\_\_\_\_.  
\_\_\_\_ A check in the amount of \$\_\_\_\_\_ is attached. Please charge any deficiency or credit  
any overpayment to Deposit Account No. \_\_\_\_\_.

*4 mos* X The Commissioner is hereby authorized to charge payment of the following fees, at the small entity rate, including any and all filing fees and extension of time fees, concerning this communication or other communications involving this application, or to credit any overpayment to Deposit Account No. 50-0951/32892-00023 (Kos-Cefali). Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0951/32892-00023 (Kos-Cefali). This sheet is attached in duplicate.

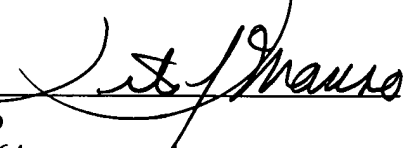
X Any additional filing fees required under 37 CFR §1.16 including fees for presentation of extra claims.

X Any additional patent application processing fees under 37 CFR §1.17 and under 37 CFR 1.20(d), including any extension of time fees and any fees due in connection with the filing of this petition to rescind or revive abandonment.

Respectfully Submitted,

By and For Akerman, Senterfitt & Eidson,  
P.C.

Date: January 31, 2001

  
\_\_\_\_\_  
Peter J. Manso  
Reg. No. 32,264

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Attorney Docket No. 32892-00023



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*no amend*  
In re Application of:  
Serial No.:  
Filing Date:  
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Title:

Eugenio A. Cefali  
08/960,557  
October 31, 1997  
1615  
J. Spear

**METHODS OF TREATING HYPERLIPIDEMIA WITH  
INTERMEDIATE RELEASE NICOTINIC ACID  
COMPOSITIONS HAVING UNIQUE  
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Box Amendment  
Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

**AMENDMENT**

This is responsive to the Office Action mailed on August 15, 2000 in connection with the above-identified application for U.S. patent.

**In the Claims:**

Kindly amend claims 9 and 22 as follows:

*no amend*  
(9)(AMENDED) In claim 9, in line 2, please substitute --9.8% and about 12.3% -- for "9.6% and about 13.8%"; in line 4, please substitute --20.9% and about 26.7% -- for "21.2% and about 27.8%"; in line 6, please substitute --35.3% and about 44.1% -- for "35.1% and about 44.2%"; in line 8, please substitute --44.8% and about 58.7% -- for "45.6% and about 58.5%"; and in line 10, please substitute --59.5% and about 70.7% -- for "56.2% and about 72.0%"; and in line 12, please substitute --84.4% and about 120.5% -- for "78.1% and about 103.9%".